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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,853	10/24/2001	Scott C. Harris	DIY-Internet/SCH	9828
23844	7590	12/31/2003	EXAMINER	
SCOTT C HARRIS P O BOX 927649 SAN DIEGO, CA 92192			BARQADLE, YASIN M	
			ART UNIT	PAPER NUMBER
			2153	
DATE MAILED: 12/31/2003				

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/682,853	HARRIS, SCOTT C. <i>[Signature]</i>	
	<b>Examiner</b>	<b>Art Unit</b>	
	Yasin M Barqadle	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 October 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
  - 4a) Of the above claim(s) 4, 12, 15 and 22 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3, 5-11, 13-14, 16-21 and 23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**Response to Amendment**

1. The amendment filed on October 17, 2003 has been fully considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-7, 11, 13-14, 16-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al US. PUB. (20020177453) in view of Steele et al et al US. PUB. (20020046084).

As per claim 1, Chen et al teach a method, comprising:

sending a request for information from an interactive device (Fig. 1, 214) to a first recipient (Fig. 1, 100) [Page 1, paragraphs 0009-0013];

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at said first recipient, using information from said request to query a publicly accessible source of information (Fig.5, 352) [Page 1, paragraphs 0011-0014];

receiving results from querying said source of information, reformatting said results into a new form [page1, paragraphs 0010-0014 and page 4, paragraphs 0047-0058]; and

sending said results in said new form to said interactive device [Page 1, paragraphs 0011-0014].

Although Chen et al shows substantial features of the claimed invention, he does not explicitly show requesting an interactive device to identify more information about a specific query to be made to a publicly accessible source of information.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Chen et al, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable multimedia information system that supports electronic commerce, disclose sending a request from a first recipient (system 10) to an interactive device (user with interactive device fig. 1 and 10), requesting said interactive device to identify more information about a specific query to be made to set publicly accessible source of information (Vendor) [page 9, paragraph 0063 and paragraphs 0131-0134].

Giving the teaching of Steele et al, a person of ordinary skill in the art would have readily recognized the desirability and the

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advantage of modifying Chen et al by employing the system of Steele et al in order to provide users with up-to-date information that is consistent with their preference of services and products.

As per claim 2, Chen et al teach a method as in claim 1, wherein said reformatting said information comprises assembling a message which includes some, but not all, of the information received from said publicly accessible source of information [page1, paragraphs 0010-0014 and page 4, paragraphs 0047-0058].

As per claim 3, Chen et al teach a method as in claim 1, wherein said reformatting comprises reformatting said information into a text message [Page 1, paragraphs 0014].

As per claim 5, Chen et al teach a method as in claim 2, wherein said interactive device also stores personal information associated with a user of the interactive device, and wherein said sending comprises sending a request for information which includes some of said personal information [page1, paragraphs 0010-0014 and page 4, paragraphs 0047-0058].

As per claim 6, Chen et al teach a method as in claim 5, wherein said personal information which is sent, includes logon information and a password [Page 1, paragraphs 0011 and Page 6, paragraphs 0075-0085].

As per claim 7, Steele et al teach a method as in claim 6, further comprising signifying to said source of information an indication to purchase a product [paragraph 0063 and paragraphs 0131-0134].

As per claim 11, Chen et al teach a system and a method, comprising:

an e-mail communication element (Fig. 1, 214), capable of communicating by e-mail with a plurality of remote devices [Page 3, paragraphs 0038];

a processing element (Fig. 1, 100), receiving a request for information from a publicly available source via said e-mail communication element, and formatting said request into a format that will be responded to by said publicly available source, commanding that said request be sent to set publicly available source, and receiving information from said publicly available source, and reformatting said information into another format, and sending reformatted information to said e-mail communication element [Page 1, paragraphs 0009-0014; Page 4, paragraphs 0047-0059 and paragraphs 0071-0074]; and

wherein said reformatting said information comprises formatting into html format of a type that is recognized by a publicly available web page, and receiving an html response, and wherein said reformatting comprises assembling a message with some, but not all, of the information from said response

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[page1, paragraphs 0010-0014 and page 4, paragraphs 0047-0058. See also paragraphs 0071-0074].

As per claim 13, Chen et al teach the invention, wherein said reformatting comprises changing said HTML response into another format [page 1, paragraphs 0010-0014 and Page 4, paragraphs 0055-0058].

As per claim 14, Chen et al teach the invention, wherein said another format is a text format [page1, paragraphs 0010-0014 and Page 4, paragraphs 0055-0058].

As per claim 16 and 18, Chen et al teach the invention, wherein said processor also receives personal identification information, and uses said personal identification information to form said request, including logon information [Page 1, paragraphs 0011 and Page 6, paragraphs 0075-0085].

As per claim 17, is a method with similar limitations as claim 1 above. Therefore, it is rejected with the same rationale.

As per claim 19, Chen et al teach the invention, wherein said reformatting comprises reformatting the information into an XML format [Page 4, paragraphs 0054].

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As per claim 20, Chen et al teach the invention, wherein said reformatting the information comprises reformatting the information into a text format [Page 4, paragraphs 0055-0058].

As per claim 21, Chen et al teach a method, comprising:

Sending a text message for an e-mail pager (Fig. 1, 214 and 216), to a specified address (fig. 1, 100), said text message including text content indicating an action that the user wants to carry out on the internet [page1, paragraphs 0010-0011 Page 3, paragraphs 0039 and page 4, paragraphs 0053-61];

Second sending back a text message back to said email pager [page1, paragraph 0014 and page 4, paragraphs 0055-0059]; and after said second sending, at associated with said specified address, translating said text message into an actual operation to be carried out on the internet, and carrying out said operation on the terminal, and returning a result from said operation on the Internet to said e-mail pager [page1, paragraphs 0010-0014 and page 4, paragraphs 0047-00589. See also paragraphs 0071-0074].

As per claim 23, Steele et al teach the invention as modified, wherein said second sending is a request for information of contents of said action [page 9, paragraph 0131].

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Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al US. PUB. (20020177453) in view of Rajan et al et al US. (6633910).

As per claim 9, Chen et al teach a method comprising:  
sending a request for information from an interactive device (Fig. 1, 214) to a first recipient (Fig. 1, 100) and Page 1, paragraphs 0009-0014];

at said first recipient, using information from said request to query publicly accessible source information sending a request for information from an interactive device [Page 1, paragraphs 0009-0014];

receiving results from querying said source of information [Page 1, paragraphs 0011-0014];

Reformatting said result into a new form to said interactive device [page1, paragraphs 0010-0014 and page 4, paragraphs 0047-0058];

wherein said reformatting said information comprises assembling a message which includes some, but not all, of the information received from said publicly accessible source of information [page1, paragraphs 0010-0014 and page 4, paragraphs 0047-0059. see also paragraphs 0071-0076].

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Although Chen et al shows substantial features of the claimed invention, he does not explicitly show reformatting information according to a prestored template.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Chen et al, as evidenced by Rajan et al (6633910).

In analogous art, Rajan et al whose invention is about a system that allows virtually any Internet-based data to be accessed, restructured and then transmitted to wide variety of network-capable appliances, discloses a unique capability of restructuring data and converting it from one format to a format specific to applications executable on a receiving device where an algorithm is employed that can take information from provided input data-templates and restructure the information to fit pre-designed and associated output data-templates that is stored in a storage facility for requesting user [col. 7, lines 56-64 and col. 8, lines 55-65].

Giving the teaching of Rajan et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Chen et al by employing the system of Rajan et al in order to facilitate the format in which requested data is expected to be found and to enhance the support of different formats and applications.

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As per claim 10, Chen et al teach a method as in claim 2, wherein said reformatting comprises reformatting said information into an XML form [Page 4, paragraphs 0054].

As per claim 8, Rajan et al teach the invention, wherein said source information indicates a user's bank balance [Col. 13, lines 44-63 and col. 15, lines 50 and 62].

### Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



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